

LB 2529

.F6

1917

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LAWS RELATING TO EDUCATION

Enacted by the Florida Legislature
of 1917.

Compiled by W. N. SHEATS,
State Superintendent of Public Instruction

Constitutional Amendment.

A JOINT RESOLUTION Proposing An Amendment to
Section 8 of Article XII of the Constitution of the
State of Florida, Relating to Education.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment of Section 8 of Article XII of the Constitution of the State of Florida relating to education is hereby agreed to and shall be submitted to the electors of the state for adoption or rejection at the next general election of representatives, to be held in the year A. D. 1918; that is to say, that Section 8 of Article XII of the Constitution of the State of Florida be amended so as to read as follows:

Section 8. Each county shall be required to assess and collect annually for the support of the public free schools therein a tax of not less than three (3) mills, nor more than ten (10) mills, on the dollar of all taxable property in the same.

10 mills
maximum co.
school tax

Approved May 25, 1917.

Let every friend of public education get to work right now to insure the ratification of this amendment at the polls in November, 1918.

Flag Law.

CHAPTER 7369.

AN ACT to Provide for the Procuring and the Display of the Flag of the United States of America Over the Capitol, Each State Institution, County Court House and County School Building in This State.

Be It Enacted by the Legislature of the State of Florida:

Display the
flag daily.

Where.

Section 1. The flag of the United States of America shall be displayed daily, when the weather permits, from a staff upon the State Capitol, county courthouse, upon one building of each State educational institution, and upon every county public school building, except when the institution or school is closed for vacation.

Duty of
whom.

Sec. 2. It shall be the duty of the officer or officers charged with the maintenance or upkeep of said buildings to provide suitable flags and cause them to be displayed, the expense to be borne out of the funds provided for the upkeep and maintenance of said buildings mentioned in Section One of this Act.

Sec. 3. All laws in conflict are hereby repealed.

Sec. 4. This Act shall take effect June 14, 1917.

Approved April 21, 1917.

Teacher-Training Departments.

CHAPTER 7371.

AN ACT Providing That the Appropriation Made Under Chapter 6830, Acts of 1915, for the Purpose of Providing Teacher Training in County High Schools be Made a Continuing Appropriation.

Whereas, The Legislature of 1915 appropriated \$50,000 for the purpose of carrying on Teacher-Training in one high school of each county in this State for two years; and

Whereas, The greater part of the said appropriation

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has not been used but remains to the credit of the said Teacher-Training fund; therefore,

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the unused part of appropriation made for Teacher-Training in high schools under Chapter 6830, Acts of 1915, be, and hereby is made a continuing appropriation for the purposes specified in said Chapter 6830, Acts of 1915.

Appropriation continued.

Sec. 2. All laws and parts of laws in conflict herewith be, and the same are, hereby repealed.

Sec. 3. This Act shall become a law upon its passage and approval by the Governor, or without his approval.

Approved June 5, 1917.

Teachers' Certification and Examination.

CHAPTER 7372.

AN ACT Providing for the Certification and Examination of Teachers; Prescribing the Requirements for the Different Teachers' Certificates; Creating a State Board of Examiners, Prescribing Their Duties and Providing for Their Compensation and Expenses.

Be It Enacted by the Legislature of the State of Florida:

Section 1. No person shall be permitted to teach in the public schools of this State who does not hold a teacher's certificate granted under this Act; nor shall any County Board of Public Instruction employ, contract with, or pay any person salary for services as a teacher who does not hold a valid teacher's certificate granted under this Act; Provided, that the validity of no certificate issued under the laws of this State since A. D. 1894, shall be rendered invalid hereby; Provided, further, that nothing in this Act shall operate to repeal Chapter 6540, Acts of 1913.

Who authorized to teach.

With whom Boards may contract and pay.

Sec. 2. There shall be ten grades of teachers' certificates issued, the requirements for each being as hereinafter specified, and such certificates shall be known and named as follows: temporary, primary, third grade, second grade, first grade, special, state, life primary, life first grade, life state certificate.

Ten grades of certificates.

Sec. 3. No certificate, except as otherwise provided in this Act, shall be issued except upon oral and written examination.

Certificate must cover subjects taught.

Sec. 4. No person shall teach any subject in a public school unless he holds a valid certificate covering the subject taught.

File character endorsement.

Fees to be paid.

Sec. 5. Any applicant for any certificate, before being eligible for examination, shall present to the Board of Examiners a written endorsement of good moral character, signed by two responsible persons, and shall pay the following examination fee: Applicants for third grade, \$1; for second grade, \$1.50; for first grade, \$2.00; for primary, \$3.00; for special, \$2.50; for state, \$5.00; which fees shall be applied as hereinafter provided.

Temporary certificate.

Sec. 6. A temporary certificate shall be issued without examination by the State Superintendent upon the request and recommendation of a County Superintendent of Public Instruction in an emergency, which emergency must be clearly set forth in said request for a temporary certificate; said certificate shall be valid for teaching only until the State Board of Examiners shall hold an examination within the County or an adjoining County in which the holder of said temporary certificate is employed.

Diploma holders must obtain certificates.

Any person desiring to teach upon a diploma awarded outside of this State shall obtain a certificate before teaching as hereinafter provided in this Act.

Primary certificate.

Sec. 7. A primary certificate shall be issued to any eligible applicant meeting the following requirements: First, who presents satisfactory evidence of having received either special instruction for one year or more in primary methods and practice teaching in a recognized normal school, or its equivalent; Second, who passes an oral and written examination on reading, arithmetic, English grammar, composition, geography and United States history, and makes an average grade of 80 per cent., with a grade on no subject below 60 per cent.; Third, who makes an average grade of 80 per cent., with a grade on no subject below 60 per cent. upon the following subjects, as they relate to primary teaching, nature study, drawing, manual training, school singing and the elements of psychology. A primary certificate shall be valid for teaching only in the first, second or third grade of regular graded schools of four teachers or

more, and shall be valid for only four years, except as otherwise provided in this Act.

Sec. 8. Any eligible applicant passing a satisfactory oral and written examination on orthography, reading, arithmetic, English grammar, composition, geography, United States history, physiology and Theory and Practice of Teaching, and making an average grade of 70 per cent., with a grade on no subject below 50 per cent., shall receive a third grade certificate valid for one year from date of issue.

Third grade certificate.

Sec. 9. Any eligible applicant passing a satisfactory oral and written examination on the subjects prescribed for a third grade certificate and on agriculture and civil government, and making an average grade of 80 per cent., with a grade on no subject below 60 per cent., shall receive a second grade certificate valid for three years from date of issue.

Second grade certificate.

Sec. 10. Any eligible applicant passing a satisfactory oral and written examination on the subjects prescribed for a second grade certificate and on physical geography and algebra, and making an average grade of 85 per cent., with a grade on no subject below 60 per cent., shall receive a first grade certificate valid for five years from date of issue, except as otherwise provided in this Act.

First grade certificate.

Sec. 11. Any eligible applicant presenting satisfactory evidence of possessing ability to teach one or more subjects not embraced in the requirements for a second grade certificate, and passing a satisfactory oral and written examination on one or more subjects, shall receive a special certificate on every subject on which a grade of 90 per cent. is made. A special certificate shall be valid for teaching only the subjects covered by it and for five years from date of issue.

Special certificate.

Sec. 12. Any eligible applicant presenting satisfactory evidence of having taught successfully twenty-four months in all, and passing a satisfactory oral and written examination on geometry, trigonometry, physics, botany, zoology, Latin, rhetoric, English literature, psychology and general history, and making an average grade of 85 per cent., with a grade on no subject below 60 per cent., shall receive a state certificate valid for five years from date of issue, except as otherwise provided in this Act.

State certificate.

Sec. 13. Any applicant filing with the State Super-

Life primary certificate.

intendent of Public Instruction a valid primary certificate, and presenting satisfactory evidence of having taught successfully in the primary department of a regular graded school of not less than four teachers for a period of thirty-two months under a primary certificate, shall receive a life primary certificate, valid during the life of the holder for teaching in the primary department only of any public school.

Life first
grade certifi-
cate on 20
years' teach-
ing.

Sec. 14. Any applicant filing with the State Superintendent of Public Instruction a valid first grade certificate and presenting satisfactory evidence of having taught twenty years in the Public Free Schools of this State, the last ten years consecutively on first grade certificates, and as being of good moral character, faithful and successful as an instructor and disciplinarian, shall receive a life first grade certificate, valid during the life of the holder and in any part of the State.

Life first
grade certifi-
cate on 6
years' teach-
ing.

Sec. 15. Any applicant filing with the State Superintendent of Public Instruction two first grade certificates, each with an average of not less than 90 per cent., the last one valid, and presenting satisfactory evidence of having taught a total of forty-eight months on the certificates filed, and as being of good moral character, faithful and successful as an instructor and disciplinarian, shall receive a life first grade certificate, valid during the life of the holder and in any part of the State.

Life State
certificate.

Sec. 16. Any applicant filing with the State Superintendent of Public Instruction a valid State certificate issued in this State, and presenting satisfactory evidence of having taught successfully in a high school or college in this State for a period of eighteen months under a State certificate, and presenting endorsement of three holders of life State certificates as possessing eminent ability both as a teacher and disciplinarian, shall receive a life State certificate of perpetual and State-wide validity.

Life first
grade certifi-
cate on ex-
tensions.

Any person filing with the State Superintendent of Public Instruction one first grade certificate with three extensions of same, secured by attendance at either of the State Summer Schools, and presenting satisfactory evidence of having taught a total of forty-eight months on the certificate filed, and containing such extensions, and as being of good moral character, faithful and successful as an instructor and disciplinarian, shall receive

a life first grade certificate, valid during the life of the holder, and good in any part of the State.

Sec. 17. Any regular graduate of a standard university, college or normal school having graduated therefrom since June 15, 1905, desiring to teach in Florida, shall pay a fee of Five Dollars and file his or her diploma, or a certified copy thereof, with satisfactory evidence of having taught school successfully for twenty-four months with the State Superintendent of Public Instruction, who with the State Board of Examiners provided for in this Act shall constitute a Commission to review and pass upon all applications for certificates based upon diplomas, and if found satisfactory the State Superintendent shall issue a Graduate State Certificate; Special Certificate; First Grade Certificate, or Primary Certificate, as this Commission may determine. All certificates issued under this section shall have all the privileges, rights and benefits conveyed to those holding like certificates issued as the result of examination under this Act.

Certificates
issuable upon
diplomas.

Sec. 18. No person shall be eligible for the principalship of a Junior High School who does not hold a valid life state certificate, a state certificate, a graduate state certificate, or a first grade certificate supplemented by a certificate or certificates covering the subjects embraced in the Junior High School course of study.

Certificate
required to
be principal
of a Junior
High School

No person shall be eligible for the principalship of an Intermediate or Senior High School who does not hold a life state certificate, a state certificate, or a graduate state certificate.

A Senior
High School

Sec. 19. For the conduct of all examinations of teachers there is hereby created a State Board of Examiners, to be composed of three eminently successful and well qualified teachers, to be appointed by the State Board of Education upon the nomination of the State Superintendent of Public Instruction.

State Board
of Examiners
to conduct
examinations.

Sec. 20. It shall be the duty of the State Board of Examiners to prepare all examination questions; to personally conduct all teachers' examinations, oral and written, under such rules and regulations as the said Board of Examiners may suggest and as shall be approved by the State Board of Education; to grade all examinations, oral and written, except as may be provided by the State Board of Education; and report weekly to the State Superintendent the name of each examinee

Duties of.

with the grade made on each subject and the grade of certificate to which each is entitled.

Duties of
State Super-
intendent.

Sec. 21. It shall be the duty of the State Superintendent of Public Instruction to issue and transmit without delay each and every certificate as recommended by the said Board of Examiners, to keep a stub record of each certificate issued, and to publish in his Biennial Report a roster of all living holders of valid certificates.

Character of
the examina-
tion ques-
tionss.

Sec. 22. The State Board of Examiners shall make the examination questions practical, conducting them with the aim of testing the ability to teach rather than verbal memory and a knowledge of specific facts, and they shall make the examinations as uniform in the conduct, in the grading and in the question tests as may be possible without repetition of the same questions.

Board of ex-
aminers to
advertise
places and
dates.

In July of each year the Board of Examiners shall forward to each County Superintendent a printed schedule giving the places and dates of examinations for the ensuing year, so arranged that one examination will be held in four or more different sections of the State during each month, and one in each county of the state during the year; Provided, it shall not be unlawful for the Boards of Public Instruction of two or more counties in which the number of examinees is small to consent for the examination to be held at some convenient and central point to their counties.

All certifi-
cates state-
wide in val-
idity.

Sec. 23. All certificates issued under this Act shall have State-wide validity, and any certificate may be suspended or revoked by a County Superintendent as now provided by law, or by the State Superintendent of Public Instruction upon his own motion, or upon the recommendation of the State Board of Examiners, when the holder proves to be incompetent, unsuccessful, or is guilty of some gross immorality.

May be re-
voked.

Tenure of
Board of
Examiners.

Sec. 24. The members of the State Board of Examiners shall hold their positions at the discretion of the State Board of Education, and each shall receive an annual salary of Two Thousand (\$2,000.00) Dollars and traveling expenses not to exceed Eight Hundred (\$800) Dollars, payable monthly upon requisition upon the Comptroller, approved by the State Superintendent of Public Instruction. This Board shall remit monthly to the State Treasurer all examination fees collected by them and make to the State Board of Education a de-

Salaries and
traveling
expenses.

tailed statement of all such fees, attaching thereto a copy of the State Treasurer's receipt.

Sec. 25. The State Treasurer shall keep in a separate fund all such fees received by him under the preceding Section, which fund shall be disbursed only for the payment of salaries and traveling expenses of the State Board of Examiners upon warrants drawn by the Comptroller upon vouchers approved by the State Board of Education; and there is hereby appropriated the sum of Four Thousand (\$4,000.00) Dollars annually, or so much thereof as may be necessary to pay the salaries and traveling expenses of the said State Board of Examiners, in case the fund above provided shall be found insufficient.

Duties of
State Treas-
urer and
Comptroller.

Sec. 26. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 27. This Act shall take effect October 1, 1917.

Approved June 9, 1917.

Graduate State Certificates.

CHAPTER 7373.

AN ACT to Amend Chapter 6540, Acts of 1913, the Same Being Entitled "An Act to Enable Normal School and College Graduates to Teach and Acquire Certificates in This State."

Be It Enacted by the Legislature of the State of Florida:

Section 1. That Chapter 6540, Acts of 1913, be, and the same is, hereby amended to read as follows:

Section 1. All graduates of the Normal and Collegiate Departments of the University of Florida and the Florida State College for Women, who in the regular examinations held in these institutions at the close of the Junior and Senior years, shall make a general average of not less than 85 per cent. on all subjects pursued and completed during these two years, with a grade on no subject below 60 per cent., shall be awarded a graduate state certificate by the State Superintendent of Public Instruction upon certified reports filed with him by the presidents of these institutions; Provided, that graduates of the Collegiate Department shall devote three-twenti-

Certain grad-
uates to be
awarded
certificates.

Conditions
prerequisite.

eths of their time to the study of psychology and education.

When graduates of other institutions of the State may receive such certificates.

Sec. 2. Any chartered College or University in this State that will submit to such inspection and regulations as the State Board of Education and the State Board of Control may prescribe, and it being found that any such institution prescribes and sustains the same or an equivalent course in the Normal or Collegiate Departments as maintained in the State University or the Florida State College for Women, the graduates of any and all such institutions in this State shall receive the same graduate state certificates, as provided in Section 1 of this Act for graduates of the University of Florida and the Florida State College for Women, and they shall be based upon like reports filed by the president or presidents of any and all such institutions.

Duties of presidents to make reports.

When.

What and how report.

Freshmen and Sophomore grades to be reported.

High school grades may be reported

Sec. 3. The president of each of the two State institutions named in Section 1 of this Act, and the president of each and every institution coming under the provisions of Section 2 of this Act, shall make a certified annual reports, as soon as practicable after each Commencement, to the State Superintendent of Public Instruction, which report shall show in separate lists the names of all pupils completing the Normal and Collegiate courses, and specify the subjects pursued and completed by each graduate both in the Junior and Senior years with the grade made on a per cent. basis on each subject completed severally and separately; Provided, that the grades of the Freshman and Sophomore years of such graduates as complete a full four-year course in any of the colleges or universities coming under Sections 1 and 2 of this Act, shall be reported in the same manner as the grades for the Junior and Senior years; Provided further, that each report may show the grades made by each graduate in the high school course pursued previous to entering any of said universities or said colleges naming the high school or institution of learning in which these grades were obtained.

Duty of State Superintendent in relation to.

It shall be the duty of the State Superintendent to issue to each such graduate a Graduate State Certificate, recording therein all subjects pursued and the grades made thereon, in the Junior and Senior years, as well as those reported for the high school course, and the Freshman and Sophomore years, which certificates shall have

all the privileges, rights and benefits conveyed to those holding like certificates issued as the result of examination as provided by law.

Sec. 4. A Life Graduate State Certificate, good in any part of the State and of perpetual validity, shall be issued by the State Superintendent of Public Instruction, without examination, to any teacher holding a graduate state certificate who has successfully taught in this State for a period of twenty-four months under a graduate state certificate, and who shall present satisfactory endorsement from three persons holding Life Certificates showing eminent ability in teaching and school government and the said Life Certificates shall have thereon the subjects enumerated in the graduate state certificate and shall have all the privileges, rights and benefits conveyed to those holding a Life Certificate issued as a result of an examination (for) State Certificates as provided by law.

Life Graduate
State Cer-
tificates.

To whom and
when issu-
able.

Sec. 5. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 6. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without his approval.

Approved June 7, 1917.

State Uniform Text Book Law.

CHAPTER 6178, ACTS OF 1911, AS AMENDED BY
CHAPTER 7374, ACTS OF 1917.

CHAPTER 7374.

An Act to Amend Sections Two, Three, Thirteen, Fourteen, Eighteen and Twenty, of Chapter 6178, Acts of 1911, Approved May 23, 1911, being "An Act to Create a State School Book Commission, and to Procure for Use in the Public Schools of the State of Florida a Uniform Series of Text Books; and to Define the Duties and Powers of Said Commission, to make Preparation for Carrying This Act Into Effect, and Providing Penalties for Violation of Same."

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the Board of Commissioners of State

Chap. 7374.
State Text
Book Com-
mission.

Duties of.

Institutions be, and is hereby, constituted a State Text Book Commission, whose duty it is to select and adopt a uniform series or system of text books for use in the public schools in the State of Florida.

*Sec. 2. That said Commission is hereby authorized, empowered and directed to select and adopt a uniform system or series of text books for use in the public schools of the State, as above indicated, and when so selected and adopted, the text books shall be used for a period of five years, in all of the public schools of this State, and it shall not be lawful for any school officer, director or teacher to use any other books upon the same branches, other than those adopted by said State Text Book Commission. Said uniform series shall include the following branches taught in the elementary schools, to-wit: orthography, reading, writing, drawing, arithmetic, language lessons, English grammar, geography, history of Florida containing the Constitution of the State, history of the United States containing the Constitution of the United States, physiology, hygiene, nature and effect of alcoholic drinks and narcotics, civil government, agriculture; and the following branches taught in the high schools, to-wit: Advanced arithmetic, algebra, plane and solid geometry, plane and solid trigonometry, American history and civil government, English history, general history, physical geography, general science, botany, zoology, physics, chemistry, composition and rhetoric, English literature, American literature, beginner's Latin, Latin grammar, Cæsar, Cicero, Virgil, Latin composition, and books for a two-year course in French, German and Spanish, book-keeping, commercial arithmetic and commercial law. Provided, that in selection of high school text books the said Commission is authorized and directed to adopt one basal, and not more than two supplementary texts on each subject. Provided, that none of said text books shall contain anything of a partisan or sectarian character. Provided, that all the provisions of this Act relative to the books for use in the first eight grades of the public schools shall not become effective or operative until July 1, 1919.

To adopt
elementary
school books.

To adopt
high school
books.

One basal,
not more
than two sup-
plementary
books.

Appointment
of Sub-Com-
mission.

*Sec. 3. That it shall be the duty of the Governor to appoint, upon the nomination of the State Superintendent of Public Instruction, a Sub-Commission of ten mem-

*As Amended by Chapter 7374, Acts of 1917.

bers to be constituted as follows: two County Superintendents, two primary teachers, two grade teachers, two high school teachers and two teachers selected with reference to their experience in and knowledge of vocational subjects; and none of said Sub-Commission shall be related in any way to any member of the Board of State Institutions, nor be in the employ of any member of said Board; provided, that not more than three of these shall be taken from one Congressional district, to whom shall be referred all books sent to the State Text Book Commission as specimen copies or samples, upon which bids are to be based, and it shall be the duty of said Sub-Commission, in executive session, to examine and report upon the merits of the books, irrespective of the price, taking into consideration the subject matter of the books, their printing, their material, and their mechanical qualities, and their general suitability and desirability for the purposes for which they are desired and intended. The term of office of said Sub-Commissioners shall be for four years, or until their successors are elected and qualified. It shall be a prerequisite qualification for appointment for each member of said Sub-Commission that before accepting such appointment he shall file with the Secretary of State an affidavit substantially as follows: That he is not, so far as he knows, related in any way to any member of the Board of State Institutions, nor has he for the five years next preceding his appointment been employed by any text book publishing company, and that he will not receive during his term of service on said Sub-Commission any emolument from any text book publishers or their agents intended to in any manner bias his judgment in the selection of text books to be adopted for use in this state.

Sec. 4. That it shall further be the duty of said Sub-Commission to report to the Commission at such time as said Commission shall direct, arranging each book in its class, or division, and reporting them in the order of their merit, pointing out the merits and demerits of each book, and indicating what book they recommend for adoption first, what book is their second choice, and their third choice, and so on, pursuing this plan with the books submitted upon each branch of study, and if said Sub-Commission shall consider different books upon the same subject, or of the same class or division of approximately

Not over 3
from same
Congressional
District.

Duties of.

Term of office

To file
affidavit.

To receive
no emolu-
ment.

Sub-Com-
mission to make
report.

Character of
report.

even merit, all things considereed, they shall so report, and if they consider that any of the books offered are of such a class as to make them inferior and not worthy of adoption, they shall, in their report, so designate such books, and in said report they shall make such recommendations and suggestions to the Commission as they deem advisable and proper to make. Said report shall be kept secret and sealed up, and delivered to the Secretary of the Commission, and said report shall not be opened by any member of the Commission until the Commission shall meet in executive session to open and consider the bids, or proposals, of publishers, or other desiring to have books adopted by said Commission.

Sec. 5. That each member of said Sub-Commission, before entering upon the discharge of his duties, shall take and subscribe an oath to act honestly, conscientiously and faithfully, and that he is not now, and never prior to his appointment has been, agent or attorney, or in the employment of, or interested in, any book, or publishing house, concern, or corporation, making, or proposing to make, bids for the sale of books, pursuant to the provisions of this Act; and that he will examine all books submitted carefully and faithfully, and make true report thereon, as herein directed and prescribed. Said oath shall be filed in the office of the Secretary of State.

Sec. 6. That said Text Book Commission shall hear and consider said report in its selection and adoption of a uniform series of text books, and shall also, themselves, consider the merits of the books, taking into consideration their subject matter, the printing, binding, material, and mechanical quality, and their general suitability and desirability for the purposes intended, and the price of said books, and they shall give due consideration to the report and recommendation of said Sub-Commission. Said Commission shall select and adopt such books as will, in their best judgment, accomplish the ends desired. And when said Text Book Commission shall have finished with the report of said Sub-Commission, the said report shall be filed and preserved in the office of the State Superintendent of Public Instruction, and shall be open at all times for public inspection.

Sec. 7. That said Text Book Commission shall, immediately after the passage of this Act, meet and organize, the Governor being *ex officio* President of the Commis-

Report to be sealed.

When opened.

Sub-Commission to subscribe to oath

Where filed.

The Text Book Commission shall hear and consider report of Sub-Commission and adopt books.

Report of Sub-Commission to be filed.

Text Book Commission to organize.

sion, and the Superintendent of Public Instruction its Secretary. As soon as practicable, not later than thirty days after its organization, the Commission shall advertise in such manner and for such length of time, and at such places as may be deemed advisable, that at a time and place fixed definitely in said advertisement, sealed bids, or proposals, will be received from the publishers of school text books for furnishing books to the public schools in the State of Florida, through agencies established by said publishers in the several counties, and places in counties of this State, as may be provided for in such regulations as said Commission may adopt and prescribe. The bids, or proposals, to be for furnishing the books for a period of five years, and no longer, and that no bid for a longer period shall be considered. Said bid, or bids, shall state specifically and definitely the price at which book or books are to be furnished, and shall be accompanied by ten or more specimen copies of each and every book proposed to be furnished, and shall be required of each bidder to deposit with the Treasurer of the State a sum of money such as the Commission may require, not less than \$500, nor more than \$2,500, according to the number of books each bidder may propose to supply, and notice shall further be given in said advertisement that such deposits shall be forfeited absolutely to the State if the bidder making the deposit of any sum shall fail, or refuse to make and execute such contract and bond, as is hereinafter required, within such time as the Commission shall require, which time shall also be stated in said advertisement. All bids shall be sealed and deposited with the Secretary of State, to be by him delivered to the Commission when they are in executive session, for the purpose of considering the same, when they shall be opened in the presence of the Commission.

To advertise
for bids.

Bids to be
sealed.

Character
of bids.

Ten specimen
copies of
books to be
filed.

Each bidder
to make
deposit.

When deposit
forfeited.

Bids to be
filed with
Secretary
of State.

Preliminary
duties of
Commission.

To direct
Sub-commission when
to report.

Sec. 8. That it shall be the duty of the said Text Book Commission to meet at the time and place designated in such notice, or advertisement, and take out the sample, or specimen copies submitted, upon which bids are based, and refer and submit them to the Sub-Commission as provided for and directed in Section 3 of this Act, with instructions to the said Sub-Commission to report back to them, at a time specified, with their report, classification, and recommendation, as provided in Sections 3 and 4.

When Commission to meet in executive session.

To examine sealed bids, report of Sub-Commission and adopt books.

To notify publishers of adoptions.

Attorney General to prepare contracts.

Contract to be executed by Governor and Secretary of State.

Contractor to give bond.

Attorney General to approve bond.

When the said report is submitted it shall be the duty of the said Text Book Commission to meet in executive session to open and examine all sealed proposals submitted and received in pursuance of the notice or advertisement provided for in Section 7 of this Act. It shall be the duty of said Commission to examine carefully all such bids or proposals together with the report and recommendation of the Sub-Commission and determine in the manner provided in Section 6 of this Act, what book, or books, upon the branches hereinabove mentioned shall be declared for adoption, taking into consideration the size, quality, as to the subject matter, material, printing, binding and the mechanical execution, and price, and the general suitability for the purpose desired and intended. After their selection or adoption shall have been made, the said Commission shall by registered letter, notify the publishers, or proposers, to whom the contracts have been awarded, and it shall be the duty of the Attorney General of the State of Florida to prepare the said contract, or contracts, in accordance with the terms or provisions of this Act, and the said contract shall be executed by the Governor and Secretary of State, and the seal of the State attached upon the part of the State of Florida, and the said contract shall be executed in triplicate, one copy to be kept by the Contractor, one copy by the Secretary of the Text Book Commission and one copy to be filed in the office of the Secretary of State. At the time of the execution of the contract aforesaid, the Contractor shall enter into a bond, in the sum of not less than Ten Thousand Dollars, payable to the State of Florida, the amount of said bonds, within said limits, to be fixed by said Commission, conditioned for the faithful, honest and exact performance of this contract, and shall further provide for the payment of reasonable attorney's fees in case of recovery in any suit upon the same, with three or more good and solvent sureties, actual citizens and residents of the State of Florida, or any guaranty company authorized to do business in the State of Florida, may become the surety on the said bond; and it shall be the duty of the Attorney General to prepare and approve said bond; Provided, however, that said bond shall not be exhausted by a single recovery, but may be sued on from time to time until the full amount thereof shall be recovered, and the said Commission may, at any time, by giving thirty

days' notice, require additional security or additional bond. And when any firm, person, or corporation shall have been awarded a contract, and submitted therewith the bond as required hereunder, the Commission, through its Secretary, shall so inform the Treasurer of the State, and it shall then be the duty of the Treasurer to return to such Contractor the cash deposit made by him, and the said Commission, through its Secretary, shall inform the Treasurer of the names of such unsuccessful bidders, or proposers, and the Treasurer shall upon receipt of this notice, return to them the amount deposited by them in cash at the time of the submission of their bids. But should any person, firm or company, or corporation fail or refuse to execute a contract, and submit therewith his bond as required by this Act, within thirty days of the awarding of the contract to him, and the mailing of the registered letter containing the notice; Provided, the mailing of the registered letter shall be sufficient evidence that the notice was given and received, the said cash deposit shall be deemed and is hereby declared forfeited to the State of Florida, and it shall be the duty of the Treasurer to place such cash deposit in the Treasury of the State to the credit of the school fund; and, Provided further, that any recovery had on any bond given by any Contractor shall inure to the benefit of the school fund in the State and counties, and when collected shall be placed in the Treasury of the school fund.

Sec. 9. That the books furnished under any contract shall at all times during the existence of the contract be equal to, in all respects, the specimen or sample copies furnished with the bid, and it shall be the duty of the Secretary of State to carefully preserve in his office, as the standard of quality and excellence to be maintained in such books during the continuance of such contracts, the specimen, or sample copies of all books which have been the basis of any contract, together with the original bid, or proposal. It shall be the duty of all Contractors to print plainly on the back of each book the contract price, as well as the exchange price at which it is agreed to be furnished, but the books submitted as samples, or specimen copies, with the original bid shall not have the price printed on them before they are submitted to the Sub-Commission. And the said Text Book Commission shall not, in any case, contract with any person, publisher or

Commission may require additional bond.

When Treasurer may return deposit.

When deposit is forfeited.

Forfeited deposits and recoveries inure to school fund.

Books to equal specimen copies.

Secretary of State to preserve specimen copies.

Contractor to print prices.

Prices not to exceed those given elsewhere.

publishers, for the use of any book, or books, which are to be sold to patrons for use in any public school in the State, at above, or in excess of, the price at which such book or books are furnished by said person, publisher or publishers, under contract to any State, county or school district in the United States.

Contract shall stipulate prices are not in excess.

And it shall be stipulated in each contract that the Contractor has never furnished, and is not now furnishing, under contract, any State, county or school district in the United States, the same book, or books, as are embraced in said contract at a price below or less than price stipulated in said contract, and the said Commission is hereby authorized and directed, at any time that they may find any book, or books, have been sold at a lower price under contract to any State, county or school district aforesaid, to sue upon the bond of said Contractor and recover the difference between the contract and the lower price for which they find the book or books have been sold. And in case any Contractor shall fail to execute specifically the terms and provisions of this contract, said Commission is hereby authorized, empowered and directed to bring suit upon the bond of such Contractor for the recovery of any and all damages, the suit to be in the name of the State of Florida, and the recovery for the benefit of the public school fund. But nothing in this Act shall be construed so as to prevent said Commission and any Contractor agreeing thereto from in any manner changing or altering any contract; Provided, four members of the Commission shall agree to change, and think it advisable and for the best interest of the public schools of the State. After the first adoption of books by said Text Book Commission there shall not be any greater change in books than would be equal or equivalent to 10 per cent. per annum of the whole number of books adopted; Provided, that the publishers of the books not changed shall agree to furnish said books for the next period of adoption at as low price as previously.

When Commission is directed to sue for violation of contract prices.

When Commission may alter any contract.

Change allowable in re-adoption of books.

Sec. 10. That it shall always be a part of the terms and conditions of every contract made in pursuance of this Act, that the State of Florida shall not be liable to any Contractor in any manner for any sum whatever, but all such Contractors shall receive their pay or consideration, in compensation solely and exclusively derived from the proceeds of the sale of books as provided for in this

The state not liable to any contractor.

Act. Provided, further, that the Commission shall stipulate in the contract for the supplying of any book, or books, as herein provided, that the Contractor or Contractors shall take up school books now in use in this State, and receive the same in exchange of new books, allowing a price for such old books not less than fifty per cent. of the contract price of the new books. And each person or publisher making a bid for the supplying of any book, or books hereunder, shall state in such bid, or proposal, the exchange price at which such book or books shall be furnished.

Contractor to exchange for old books.

Bids shall state exchange price.

Sec. 11. That the Text Book Commission shall have and reserve the right to reject any and all bids, or proposals, if they shall be of the opinion that any or all should for any reason be rejected, and in case they fail from among the bids or proposals submitted, to select, or adopt any book, or books, from any of the branches mentioned in Section 2 of this Act, they may re-advertise for sealed bids or proposals under the same terms and conditions as before, and proceed in their investigations in all respects as they did in the first instance, and as required by the terms and provisions of this Act. Or they may advertise for sealed bids, or proposals from authors, or publishers of text books, who have manuscript for use in the public schools of Florida, proceeding in like manner as before. And, Provided further, the State itself shall not, under any circumstances, enter into any contract binding it to pay for the publication of any book, or books, but in the contract with the owner of the manuscript it shall be provided that he shall pay the compensation to the publisher for the publication and putting in book form the manuscript together with the cost and expenses of copyrighting the same; and, Provided further, that in all cases bids, or proposals, shall be accompanied with a cash deposit of from \$500 to \$2,500, as the Commission may direct, and as provided in Section 7 of this Act. And it is further expressly provided, that any person, firm or corporation, now doing business, or propoising to do business, in the State of Florida, shall have the right to bid for the contract to be awarded hereunder in manner as follows: In response to the advertisement, when made as hereinbefore provided, said person, firm or corporation, may submit the written bid, or bids, to edit, or have edited, published and supplied for

Commission has right to reject all bids and readvertise.

Bids may be received upon books in manuscript.

The State shall not pay for the publication of any book.

Such bids to be accompanied by deposit.

Other stipulations for bidding on books in manuscript

use in the public schools in this State any book, or books, provided for hereunder; Provided, that instead of filing with the said bids, or proposals, a sample or specimen copy of each book proposed to be furnished, he may exhibit to the Commission in manuscript, in printed form the matter proposed to be incorporated in any book, together with such a description and illustration of the form and style thereof, as will be fully intelligible and satisfactory to the said Commission, or he may submit a book, or books, the equal of which in every way he proposes to furnish; and he shall accompany his bids, or proposals, with cash deposit hereinbefore provided; Provided, that all books and manuscripts shall be examined and reported upon by said Sub-Commission provided for in Section 3 of this Act.

Governor to
issue proclamation.

Sec. 12. That as soon as said Commission shall have entered into a contract or contracts, for the furnishing or supplying of books for use in the public schools in this State, it shall be the duty of the Governor to issue his proclamation announcing such fact to the people of the state.

Book depository to be
established.

*Sec. 13. There shall be established and maintained at some convenient point in the State of Florida, designated by the State School Book Commission, selected with special reference to transportation facilities and freight rates, a Central Book Depository by each of the Contractors, or by the several Contractors combined; and there shall also be maintained by said Contractors one or more agencies in each county of the State for the distribution of the books, and parties living in the county where no agency has been established, or no arrangements made for distribution, may order the same from one of the Contractors and it shall be the duty of the Contractor or Contractors to deliver any book, or books, so ordered to the person ordering, to his postoffice address, freight, express, postage, or other charges prepaid, at the retail contract price; Provided, the price of the book, or books, so ordered shall be paid in advance. All books shall be sold to the consumer at the retail contract price, and on each book shall be printed the following: "The price fixed hereon is fixed by State contract, and any deviation therefrom shall be reported to your County Superintendent of Public Instruction, or the State Superin-

County agencies to be
maintained.

When Contractor to deliver books
transportation prepaid.

Prices to be
printed on
books.

*As Amended by Chapter 7374, Acts of 1917.

tendent at Tallahassee." And it is expressly provided that should any party contracting to furnish books, as provided for in this Act, fail to furnish them or otherwise break his contract, in addition to the right of the State to sue on the bond hereinbefore required, the Chairman of the County Board of Public Instruction may sue in the name of the State of Florida, in the courts of the State of Florida having jurisdiction, and recover on the bonds given by the Contractor the full value of the books so failed to be furnished, for the use and benefit of the school fund of the county. Provided, that in all cases services of process may be had and deemed sufficient on any agent of the Contractor in the county, or if no agent is in the county, then service on any depositors, and this service shall be, and stand in the place of service on the defendant Contractor.

Who may sue when contract is broken.

*Sec. 14. That said Commission may, from time to time, make any necessary regulations not contrary to the provisions of this Act, to secure the prompt and faithful performance of all contracts, and it is especially now provided that said Commission shall maintain its organization during the five years of the continuance of the contract, and after the expiration of the same to re-advertise for new bids, or proposals, as required by this Act, in the first instance, and enter into such other contracts as they may deem best for the interests of the patrons of the public schools of the State; Provided, any contract entered into, or renewed shall be for the term of five years. The adoption of the books made under the provisions of this Act shall continue for five years.

Commission may secure prompt performance of contracts.

Expiring contracts to be renewed.

Sec. 15. That as soon as practicable after the adoption provided for in this Act, the State Superintendent shall issue a circular letter to each County Superintendent in the State, and to such others as he may desire to send it, which letter shall contain the list of books adopted, the prices, location of agencies, and method of distribution, and such other information as he may deem necessary.

State Superintendent to issue a circular letter.

Sec. 16. That as soon after the passage of this Act as may be practicable, and the Commission shall deem advisable, the books adopted as a uniform system of text books shall be introduced and used as text books to the exclusion of all others in all public free schools in the State; Provided, that nothing herein shall be so construed

Books adopted shall be used.

*As Amended by Chapter 7374, Acts of 1917.

Supplementary books may be used.

as to prevent the use of supplementary books, but such supplementary books prescribed, or adopted, under the provisions of this Act; and, Provided further, that nothing in this Act shall prevent the teaching in any school any branch higher, or more advanced, than is embraced in Section 2 of this Act, nor the use of any book upon such higher Branch of study; Provided, that the higher branch shall not be taught to the exclusion of the branches mentioned and set out in Section 2 of this Act.

When patrons are authorized to procure books in other ways.

Sec. 17. That nothing herein shall be construed to prevent or prohibit the patrons of the public schools throughout the State from procuring books in the usual way, in case no contract shall be made, or the Contractor fails or refuses to furnish the books provided for in this Act at the time required for the use in the respective schools.

Penalty for teacher not using adopted books.

*Sec. 18. That any teacher who shall wilfully use, or permit to be used in his or her school, any text book upon the branches embraced in this Act, where the Commission has adopted a book upon that branch, other than the one so adopted, the County Board of Public Instruction shall discharge and cancel the certificate of said teacher.

Penalty for dealer selling a book above contract price

Sec. 19. That any dealer, clerk or agent who shall sell any book for a greater price than the contract price shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$50.

Commission shall serve without pay.

*Sec. 20. That said Text Book Commission shall serve without pay, but the members of the Sub-Commission shall be paid Four (\$4.00) Dollars for each day of actual service, not to exceed thirty days, and in addition thereto shall be paid the amount actually expended by them for traveling expenses and board, which expenses shall be paid only upon presentation of said account itemized and sworn to after said account has been approved by the State Board of Education; and there is hereby appropriated the sum of Three Thousand (\$3,000.00) Dollars, or so much thereof as may be necessary, from any monies in the Treasury, not otherwise appropriated, for the payment of said per diem and expenses.

Pay of Sub-Commission.

Appropriation therefor.

Sec. 21. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Sec. 22. That this Act shall take effect upon its passage and approval by the Governor.

Chapter 6178, approved May 23, 1911.

Chapter 7374, approved June 9, 1917.

*As Amended by Chapter 7374, Acts of 1917.

Extending Book Contracts for Elementary Books.

CHAPTER 7375.

AN ACT to Amend An Act (Chapter 6834 of the Laws of Florida, Acts of 1915), Authorizing the State School Book Commission of the State of Florida to Extend the Time Limit of Five Years for Renewing Contracts for Purchase of School Text Books to July 1, 1919, and for Other Purposes.

Whereas, Section 14 of Chapter 6178, Laws of Florida, Acts of 1911, known as the "Uniform Text Book Law," provides that any contract entered into or renewed, shall be for a term of five years, and that the adoption of the books made under the provisions of said Act shall continue for five years; and

Whereas, Such contracts as were entered into under the provisions of that law did expire on September 1, 1916; and

Whereas, By legislative enactment, Laws of Florida, 1915, said Text Book Commission was empowered and authorized to extend said contracts with the consent of the publishers to July 1, 1917, at which time contracts shall be made for future adoption for the full period of five years as required by statute; and

Whereas, Said Text Book Commission by mutual agreement with publishers did extend all contracts to July 1, 1917; and

Whereas, Said Section 14 of Chapter 6178 provides that any county, which at the time of the passage of said law, had an existing contract, might carry out said contract in good faith; and

Whereas, There were thirty-five counties in the State that had existing contracts and carried same out in good faith; and

Whereas, A majority of the counties in the State have been using the State-adopted list of text books for only two or three years, and some for only one year; and

Whereas, It would be impracticable for said counties so recently adopting the uniform text books, as provided by said law, to make changes or adapt their course of study to new books without great expense to the patrons of the schools; and

Whereas, The unsettled condition, caused by the Euro-

pean war have more or less affected all of our industries; therefore,

Be It Enacted by the Legislature of the State of Florida:

State Text Book Commission authority to extend contracts for school books adopted.

Section 1. That the State Text Book Commission be, and are hereby, authorized to confer with the various publishers of text books now adopted and in use in this State, and, if a publisher, or publishers, consent to extend the time limit for said contracts for uniform school text books to July 1, 1919, at which time contracts shall be made for future adoption for the full period of five year, as required by statute.

To make new adoptions where contracts are not extended.

Sec. 2. That should the State Text Book Commission find that any publisher or publishers be not willing to extend any contract for two years as provided above on any subject or subjects, the said Text Book Commission are hereby empowered and authorized to make new adoptions for such subject or subjects for such period for which any contract cannot be extended by mutual consent.

Certain counties authorized to continue books in use to July 1, 1919

Sec. 3. That certain counties of this state which by Chapters 7060 and 7115 of the Acts of 1915, were relieved from the operations of the Uniform Text Book Law of this State and were allowed to continue the use of the text books the said counties were then using until July 1, 1917; shall be allowed to continue the use of the same until July 1, 1919, or until such time as the Text Book Commission of this State shall make new text book contracts for the State of Florida.

Sec. 4. That all laws and parts of laws in conflict herewith are hereby repealed.

Sec. 5. That this Act shall take effect upon its passage and approval by the Governor.

Approved June 5, 1917.

Vocational Education.

CHAPTER 7376—(No. 118).

Whereas, The Congress of the United States has passed a law, making available to the State of Florida not less than Five Thousand Four Hundred (\$5,400.00) Dollars

for teaching agriculture in schools of lower than college grade, and Five Thousand (\$5,000.00) Dollars for teaching trade, industrial and home economics subjects in schools of lower than college grade, and Five Thousand (\$5,000.00) Dollars for the training of teachers for the above said schools, for the fiscal year ending June 30, 1918; and

Whereas, The further amount of Eighteen Thousand Eight Hundred and Forty (\$18,840.00) Dollars is available in similar proportional divisions for the fiscal year ending June 30, 1919; and

Whereas, The high schools in the various counties of the State provide for the teaching of the literary subjects required by said Act of Congress; and

Whereas, In order to receive the above appropriation the said Act of Congress requires that the State put up an equal amount to be used for the instruction in agriculture, trade, industrial and home economics, and for the training of teachers in said subjects; therefore this,

A Bill to be Entitled, An Act Assenting to and Accepting the Provisions of An Act of Congress, Approved February 23, 1917, Entitled: "An Act to Provide for the Promotion of Vocational Education; to Provide for Cooperation With the States in the Promotion of Such Education in Agriculture and the Trades and Industries; to Provide for the Cooperation With the States in the Preparation of Teachers of Vocational Subjects; and to Appropriate Money and Regulate Its Expenditures;" and Designating Schools for the Training of Teachers of Agricultural, Trade, Industrial and Home Economics Subjects; and for the Designation of Schools for the Teaching of Agricultural, Trade and Home Economics and Industrial Subjects; and Making Appropriations for Same.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the State of Florida hereby accepts the provisions of the Act of Congress, approved February 23, 1917, entitled: "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of

The State accepts the provisions of Congress for Vocational Education.

vocational subjects; and to appropriate money and regulate its expenditures." The good faith of the State is hereby pledged to make available for the several purposes of said Act funds sufficient at least to equal the sums allotted, from time to time, to this State from the appropriations made by said Act and to meet all conditions necessary to entitle the State to the benefits of said Act.

Duties of
State Treas-
urer as to
the fund.

Sec. 2. The State Treasurer is hereby designated custodian of all funds allotted to this State from the appropriations made by said Act, and he shall receive and provide for the proper custody and disbursement of the same in accordance with said Act.

State Voca-
tional Edu-
cation Board
created.

Sec. 3. The State Board of Education is hereby created the State Vocational Education Board contemplated in Section Five (5) of said Act of Congress, and said Board is hereby designated, authorized and required to cooperate as provided in and required by the aforesaid Act of Congress, with the Federal Board of Vocational Education, in the administration of the provisions of said Act, and to do all things necessary to entitle the State to receive the benefits thereof.

Duties to co-
operate with
Federal
Board.

To designate
schools to
train voca-
tional teach-
ers.

Sec. 4. The State Vocational Board shall designate the University of Florida at Gainesville and the Florida State College for Women at Tallahassee as the schools for the training of teachers of agricultural, trade, industrial and home economics subjects, the one for men and the other for women.

To designate
county
schools to
teach voca-
tional sub-
jects.

Sec. 5. The State Vocational Educational Board shall designate at least one (1) public school in each county of the State as a school for the teaching of agricultural trade, home economics and industrial subjects, said schools to be less than college grade; Provided, the county or local community, or both, shall provide the necessary plant and equipment determined upon by the said Board; Provided, the said Board shall divide equitably all funds, National and State, available under this Act, among the counties of this State that are entitled to receive the same in accordance with the provisions of the aforesaid Federal Act.

Who to pro-
vide plant,
etc.

Appropriation
for first
year.

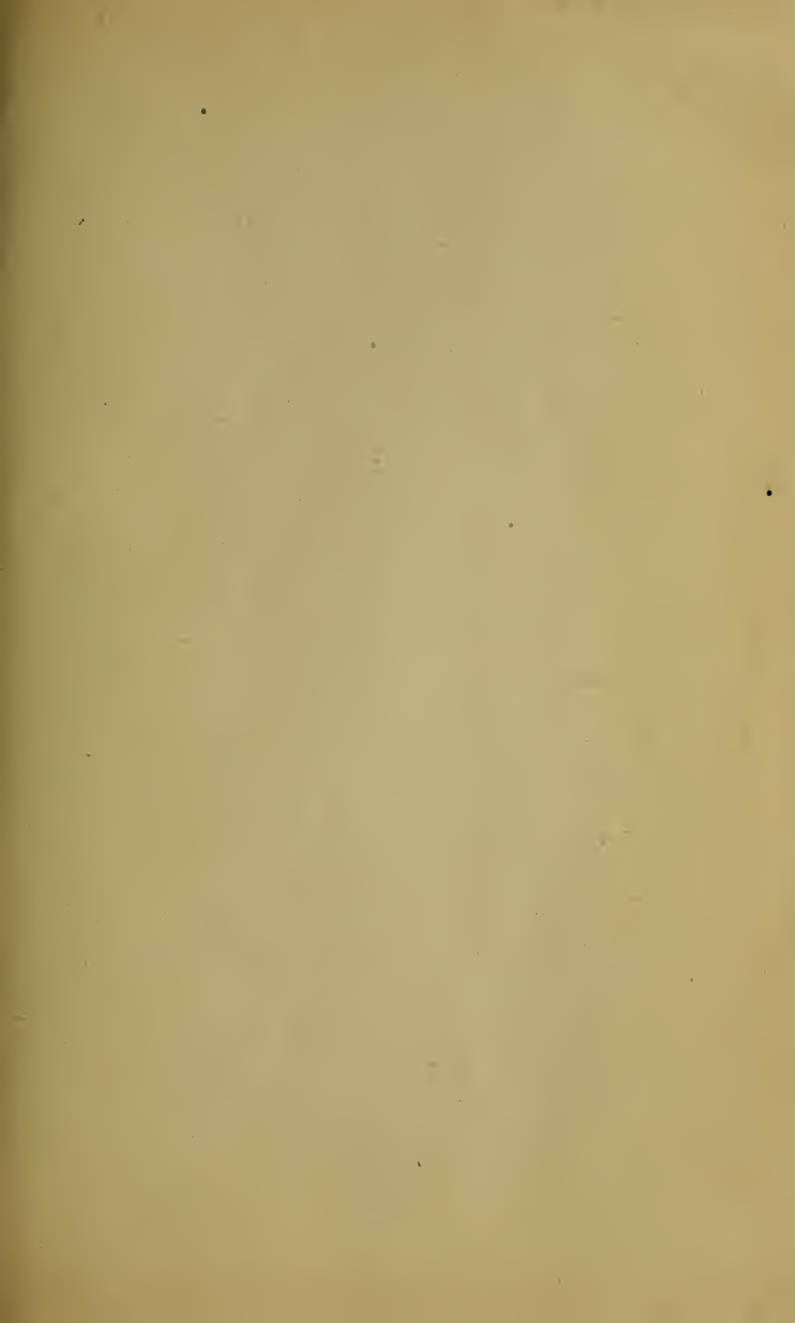
Sec. 6. That for the purpose of providing for the teaching of the agricultural, trade, home economics and industrial subjects provided for in the said Act of Congress, to which assent is hereby given, and that the State of Florida may receive from the Federal government the

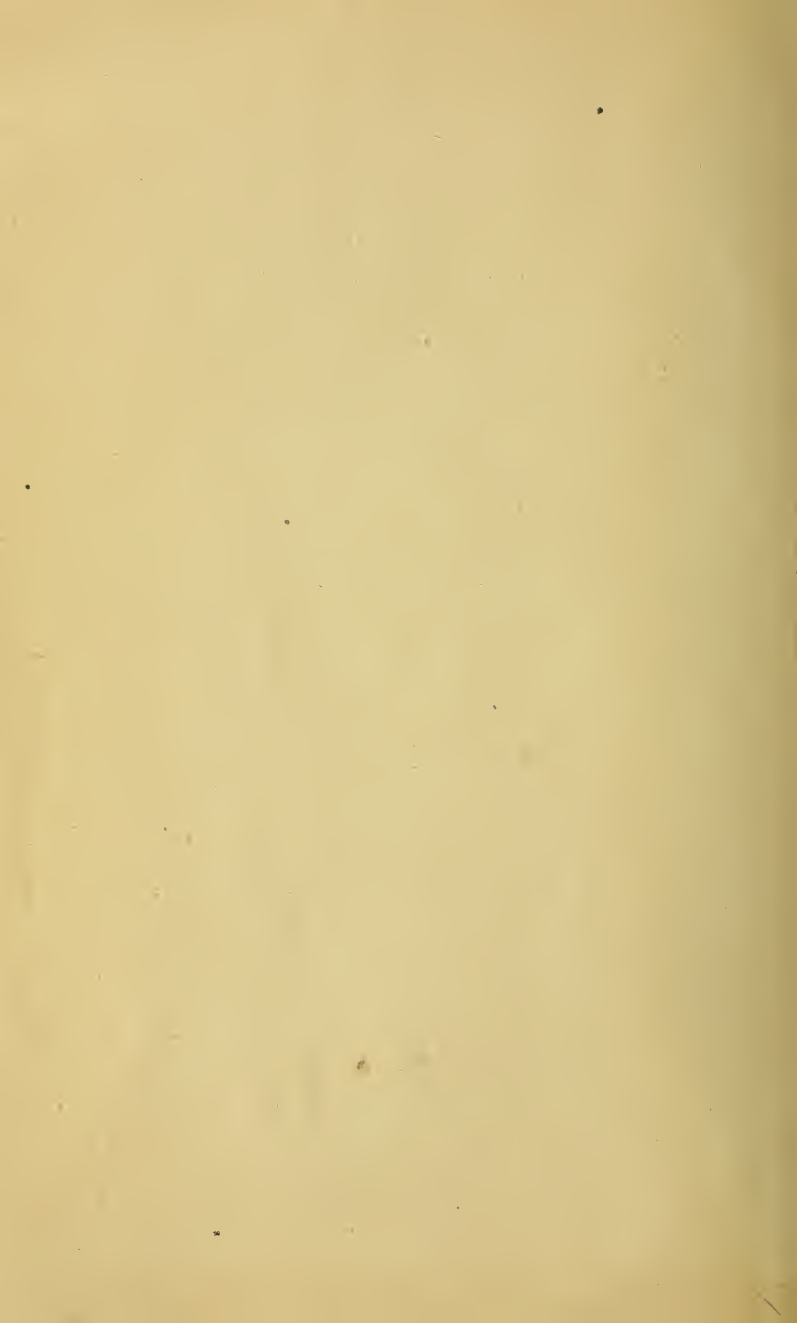
amount allowed for the salaries of teachers in the said subjects, the sum of Fifteen Thousand Four Hundred (\$15,400.00) Dollars shall be available July 1, 1917, and the sum of Eighteen Thousand Eight Hundred and Forty (\$18,840.00) Dollars shall be available July 1, 1918, and the said sums or so much thereof as will equal the amounts to which the State will be entitled under the said Act of Congress be, and the same is hereby, appropriated out of any fund in the State Treasury not otherwise appropriated.

Appropriation for section 1 year.

Sec. 7. This Act shall take effect upon its passage and approval by the Governor, or upon its becoming a law without his approval.

Approved June 5, 1917.





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